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4                   UNITED STATES DISTRICT COURT  
5                   WESTERN DISTRICT OF WASHINGTON  
6                   AT SEATTLE

7 SCOTT ALAN FREEBURG,

8                   Petitioner,

Case No. C12-376 JLR-BAT

v.

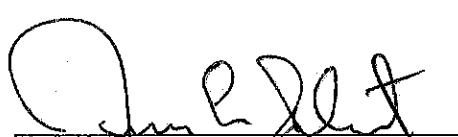
9 DONALD HOLBROOK,

10                  Respondent.

11                  The Court, having reviewed Petitioner's 28 U.S.C. § 2254 habeas petition, the Report and  
12 Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any  
13 objections or responses to that, and the remaining record, finds and **Orders** as follows:

14                  1.       The Report and Recommendation is **ADOPTED**;  
15                  2.       Petitioner's 28 U.S.C. § 2254 habeas petition is **DISMISSED** with prejudice;  
16                  3.       Petitioner is **DENIED** issuance of a certificate of appealability; and  
17                  4.       The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

18                  DATED this 15<sup>th</sup> day of August, 2014.

19                    
20                  JAMES L. ROBART  
21                  United States District Judge

# United States District Court

WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SCOTT ALAN FREEBURG,

Petitioner,

v.

DONALD HOLBROOK,

Respondent.

## JUDGMENT IN A CIVIL CASE

Case No. C12-376 JLR-BAT

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

THE COURT HAS ORDERED THAT:

The Report and Recommendation is adopted and approved. Petitioner's 28 U.S.C. § 2254 habeas petition is **DENIED** with prejudice. Petitioner is **DENIED** issuance of a certificate of appealability.

Dated this 15<sup>th</sup> day of August, 2014.

WILLIAM M. MCCOOL

Clerk

/S MARY DUETT

Deputy Clerk